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TAGS: [PTER](#) [PREL](#) [PGOV](#) [PINR](#) [KTFN](#) [KU](#)
SUBJECT: KUWAIT: MEASURED BUT REAL PROGRESS ON
COUNTER-TERRORISM

REF: A. 2008 KUWAIT 563 (NOTAL)
[1](#)B. 2008 KUWAIT 708
[1](#)C. KUWAIT 793
[1](#)D. KUWAIT 951
[1](#)E. KUWAIT 149

Classified By: Ambassador Deborah K. Jones for reasons 1.4 b and d

Summary

[1](#)1. (S/NF) Summary: Based upon concerns expressed during Washington consultations, upon arrival at post in April 2008, Ambassador used her introductory calls on the senior Kuwaiti leadership to assess ways to improve Kuwait's CT performance. In May 2008, Post laid out a strategy for promoting greater CT activity by Kuwait through engagement (ref A), including proposing a visit to Washington by the Prime Minister and urging Kuwait to build a rehabilitation center for extremists and possible GTMO returnees. Post separately advocated for a POTUS letter to the Amir on CT to highlight our concerns. Some sixteen months later, the foregoing having been achieved, we assess that the strategy laid out last May -- to pursue a broader and more intensive bilateral CT dialogue emphasizing a positive reinforcement approach -- has borne fruit; we now see measured -- but real -- progress. Since May 2008 the GOK has reined in or arrested a number of terrorists and terror facilitators, including several of those who were of priority concern in mid-2008 and the GoK has for the first time more clearly and at more senior levels denounced terrorism. CT issues are regularly raised with senior GoK officials both here and in Washington, and the Ambassador has established a solid, ongoing CT dialogue with the Interior Minister. Post has broadened engagement beyond liaison and KMI to include other CT-related Kuwaiti entities such as the NSB. Kuwait's interest in securing the return of its final four (now three) GTMO detainees has also provided a useful basis to press CT themes with the Kuwaiti leadership -- just as the April 2008 suicide attack in Mosul by Kuwaiti former GTMO detainee Abdullah Al-Ajmi provided an opening to press the Kuwaiti leadership to be more responsive.

[1](#)2. (S/NF) The results secured by USG engagement must be measured in the context of the more limited legal and political framework the GoK operates within by contrast to some of its Gulf brethren. Kuwait's Constitution, democratic traditions, relatively free press, weak CT laws and fractious political process (with divisions both within the ruling family, between the family and the Parliament, and more

broadly between modernizing merchant elites and conservative tribals) all conspire to constrain the government's willingness and ability to act in the absence of a clear and present danger to Kuwait. When such a threat is perceived, as in the case of those Kuwaitis plotting attacks on KSS HQ and US ARCENT forward command at Camp Arifjan, the GoK can and will respond. Routinizing GoK action against facilitators supporting groups operating elsewhere, however, represents more of a challenge, one that will require us to continue to make our case through sustained engagement in-country and with senior GoK visitors. Post's specific ideas to promote progress on terrorist financing issues will be reported septel. End Summary.

13. (S/NF) Kuwait's improved CT performance over the past sixteen months comes as a result of more intensive engagement and dialogue, here in Kuwait and with visiting GoK officials in Washington. Significant elements in this effort have included:

- Prime Minister Shaykh Nasser Al Sabah's September 2008 visit to Washington, and the Amir's August 2009 visit, both of which provided an opportunity to engage the senior Kuwaiti leadership on CT issues, particularly in the GTMO context, to include the steps the GoK would be prepared to take to ensure the surveillance, monitoring, detention and rehabilitation of returned GTMO detainees and other extremist actors.

- The June 2008 POTUS letter to the Amir (conveyed by Advisor to the President on Homeland Security and Counterterrorism Kenneth Wainstein), which emphasized the

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significance of USG concerns, called for increased information sharing, and urged that we use "every tool at our disposal, including diplomatic, financial, law enforcement, military and intelligence tools" (ref B).

- Preparations and discussion related to the October 9, 2009 hand-over to the GOK of GTMO detainee Khalid Al-Mutairi provided a further valuable opportunity for lower-level government-to-government dialogue on broad CT issues, to include the possibility of using the new Kuwaiti rehabilitation center to process other Kuwaiti extremists in GoK detention, use of existing GoK authorities to prevent travel of returned GTMO detainees, and surveillance and monitoring arrangements.

- The Ambassador developed and has maintained a regular dialogue with Interior Minister Shaykh Jaber Al Sabah, with a focus on CT issues and enhanced information sharing; Post elements have also sustained an ongoing dialogue on CT issues with counterparts at KSS, MFA, and MOI.

- Post elements, including liaison, have stepped up engagement with Kuwait's National Security Bureau (NSB), to include a regular dialogue with NSB Deputy Director Shaykh Thamer Al Sabah.

- Visits to Kuwait by numerous senior USG officials over the past year, including the Secretary, A/S Feltman, General Petraeus and S/CT Benjamin, have provided useful opportunities to remind the GOK of USG concerns and maintain the pressure on Kuwait to be a proactive CT partner.

- With Post encouragement, Kuwait Security Services (KSS) director General Sulayman Al-Muhaylan visited liaison headquarters in Washington in June 2009 and held a productive series of meetings.

- In response to urging by the Ambassador, Kuwait's Interior Minister welcomed an offer to include six KSS officials in a law enforcement International Visitor Leadership Program focused on building investigatory capacity and competence.

Getting Bad Guys Off The Street

14. (S/NF) Our policy of increased engagement has resulted in a measured but significant up-tick in the GOK's actions to rein in terrorists and their facilitators. In Mid-2008, Post had its eye on a number of priority terror facilitators believed to pose a threat to USG and/or Kuwaiti interests. Through increased intelligence sharing and improved Kuwaiti initiative, the GOK has made a creditable dent in the numbers and capabilities of terrorists operating in Kuwait. Of the 14 priority facilitators of concern 16 months ago, two are now serving prison sentences, two are in jail awaiting trial, two have been arrested and released, and three have had their assets frozen via UNSCR 1267 mechanisms. The GOK may be monitoring the whereabouts of an additional five but has not yet chosen to act against them.

Some key arrests and outstanding cases include:

-- KSS officials arrested Iran-based and AQ-linked Mohammed Sultan Ibrahim Sultan Al-Ali (AKA Jawad) in February 2009 on charges of weapons possession, carrying a false passport and inciting jihad against a friendly state. He was subsequently sentenced to seven years in prison (and several of his Kuwaiti associates also received relatively stiff sentences).

-- Nasir Ali Sunaytan Khadran Ajab Al-Utaybi (AKA Shaykh Nasir, Abu Ali) was a senior deputy of Al-Hajj and a well-connected Kuwaiti AQ facilitator. He reportedly moved money and fighters to Iraq, Pakistan, Afghanistan and Yemen. He was an Imam at a local mosque until named as a terror facilitator by Kuwaiti Abdallah Nafi Hdayb Nafi Al-Utaybi (extradited from Yemen in June 2009). He was arrested by Kuwaiti authorities in June 2009; his trial is ongoing.

-- The February 2009 arrest of Mohammad Abdallah Nasr Ubayd Al-Dosari (AKA Abu Talha, Al-Kuwaiti, Al-Hajj) in Lebanon

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(arrested by the GOL) was a significant blow to AQ-Kuwait. While the GOK had no direct role in his arrest, the Kuwaiti authorities have interposed no objections to the Lebanese service's lengthy debriefing of Al-Hajj and have sent KSS officers to assist in that process.

-- Acting on shared intelligence as well as on its own suspicions and extensive surveillance and investigation, KSS forces in July arrested six Kuwaiti men in whose possession were found home-made explosives and guns. The group was charged with planning attacks on Camp Arifjan -- the forward command of the U.S. Third Army and a vital logistics hub that is home to thousands of U.S. military personnel -- as well as KSS headquarters (ref C). (Note: These men all hail from the extensive Al-Kandari family and some had direct links to the 2002 Failaka island attack that killed one US Marine and wounded another. Kuwaiti GTMO detainee Fayez Al-Kandari is also brother and first cousin to some of those arrested. End note.) KSS also brought in several other suspects for questioning. While some suspects were subsequently released, the core four of the original six arrested remain in custody pending formal charges to be filed by the Public Prosecutor, and one is out on bail pending trial.

-- In response to the Arifjan plot discovery, Kuwait's press, one of the most open in the Arab world, devoted hundreds of column inches for liberals, moderates, and even conservative Islamists to condemn terrorists and their sympathizers. The clamor of angry press articles suggested a strong and growing sense of disgust with terrorism, as well as a useful acknowledgement that home-grown Sunni extremists can sometimes pose an immediate threat to Kuwaiti interests. Further highlighting the point, senior GOK security officials told the Ambassador that the plotters had considered an attack on the Amiri palace which, while unconfirmed by the debriefs liaison has

received, represents a Rubicon that all (to include even those within the security apparatus here who might otherwise have latent sympathy for Sunni Islamist views) would recognize. Senior Kuwaiti officials, including the Amir and the Council of Ministers, publicly condemned the terrorist plotters and praised the work of the security services in terms not previously seen here with reference to Kuwaiti Sunni extremists.

Willing To Work With The Tools It Has

15. (S/NF) Kuwait's Constitution, democratic traditions, relatively free press, weak CT laws and fractious political process (with divisions both within the ruling family, between the family and the Parliament, and more broadly between modernizing merchant elites and conservative tribals) all conspire to constrain the government's willingness and ability to act in the absence of a clear and present danger to Kuwait. Nonetheless, the GOK has shown greater willingness in recent months to employ in a creative manner the legal tools already at its disposal to combat terror. In this regard, the GOK informed us in July that the Minister of Interior now has discretionary authority to prevent the travel of those he deems could harm Kuwaiti interests abroad. According to MFA officials, the Minister could apply this ruling in cases of suspected terrorists. In addition, while still denying that its lead charity organization, RIHS, is involved in terrorism financing, the GOK has increased its monitoring of charities, including the USG-designated RIHS, and views this stepped-up effort as having addressed many of the loopholes that might have allowed funds to be used or diverted to fund terrorism (see ref C).

16. (S/NF) The GOK has also recently demonstrated heightened concern over -- and greater action against -- drug smuggling (particularly by sea from Iran), noting that this illicit activity may fund terrorist activity (Note: Kuwait media reported with some relish in June the repatriation of three disillusioned Kuwaitis who had reportedly traveled to Afghanistan to "do jihad" but were shocked to find that their counterparts there included drug users and drug smugglers,

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Islamically forbidden activities. End Note.) Kuwait's Interior Minister also participated in an October 13 regional Interior Ministers meeting in Egypt where terrorism and drug smuggling were discussed; he and other leading members of the GOK appear increasingly sensitized to the link between these two threats, and in particular are very concerned to develop countermeasures to address the new methodologies apparently employed by Al-Qaeda in the failed attack against Saudi Arabia's Deputy Interior Minister, Mohammed bin Nayif.

Moving the Ball Forward

17. (S/NF) In addition to a continuing program of government-to-government intensive dialogue and engagement, other opportunities to enhance CT cooperation include:

-- Training/Workshops/Exchanges. We are encouraged by the Interior Minister's welcoming approach to our offer to send six KSS officials on a law enforcement International Visitor Leadership Program. We intend to seek further such training opportunities. In the same vein, per (ref D) Regional Strategic Initiative proposal, Post hopes to organize workshops with MPs and their staff on drafting CT legislation and with law enforcement officials on CT investigatory procedures. At Post's urging, the local UNDP office will consider providing UNODC training courses for parliamentary staff on understanding and implementing UN Conventions that relate to terrorism.

-- Rehabilitation. GTMO detainee Khalid Al-Mutairi has been

repatriated and others may follow. Per the GOK's earlier commitment, Al-Mutairi's return was managed in a low-key fashion, and he has been arrested and charged by the Office of the Public Prosecutor which is investigating whether the evidence is sufficient to warrant a trial. We continue to receive assurances that Al-Mutairi and any subsequent returnees will be remanded to the custody of the Al-Salam rehabilitation center. Post will remain in close contact with the GOK to monitor progress and assess the viability of the program, as well as its potential to be used to help rehabilitate other, non-GTMO-related extremists here.

-- Travel Limits. Post will press the MOI to use its new discretionary authorities to prevent the travel of returning GTMO detainees, and will continue to press the GOK to effectively monitor former detainees, UNSCR 1267 designees and other terror facilitators.

-- Septel will provide additional proposals for moving terrorism finance issues forward.

Comment: Maintaining the Momentum

18. (S/NF) Kuwait is not likely anytime soon to abandon its age-old approach of using societal pressure -- appealing to tribal and family groups to rein in their wayward sons and bring them back into the fold -- as a first resort, turning to more punitive options only when all else fails or in cases of clear and present danger to Kuwait. Given that, and the limitations of the present domestic political landscape, our best approach is to acknowledge what the GOK has done right on CT, continue to strongly press for the broadest possible use of existing tools, apply GTMO-related leverage to obtain more proactive monitoring and surveillance efforts, all while urging Kuwait to up its game where that seems achievable (and here, encouraging movement on CT financing regulations and law may be a more appropriate near-term target than a full-blown rewrite of broader CT legislation). We will also press for Kuwait to use its chairmanship of the GCC Summit in December to elevate the discussion on CT cooperation, and will continue to encourage and acknowledge public statements by senior Kuwaiti leaders deploring terrorism. At the same time, we will continue to press the GOK to take steps to strengthen further the liaison relationship through more pro-active and generous information sharing, while not losing sight of the reality that actions are ultimately what count. End comment.

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